

(In The United States District Court
For The Southern District of Texas
Houston Division)

United States District Court
Southern District of Texas
FILED

JUL 24 2020

David J. Bradley, Clerk of Court

Dwight Russell, et al.,
Plaintiffs,

VS.

Civil Action No. H-19-226

Harris County, Texas, et al.,
Defendants.

Prospective Plaintiff's Motion to Intervene

and Consolidate Complaint / Civil Action Number

4:20-cv-02490 - Devin Paul Cole vs. Harris

County, Texas, et al., with Russell, et al., Above

And Motion to be Added as Fourth Class

Member and Granting Class Action Certification

Under the Fourteenth Amendments Due Process

And Equal Protection Clauses

To The Honorable Lee H. Rosenthal, Presiding Chief
United States District Judge.

Now Comes, Devin Paul Cole, pro se, Title 42
U.S.C. § 1983, Plaintiff in case number 4:20-cv-02490
assigned to U.S. District Judge, Charles Eskridge
on July 15th, 2020 and files this Prospective Plaintiff's
Motion to Intervene and Consolidate Complaint/Civil
Action Number 4:20-cv-02490 - Devin Paul Cole
vs. Harris County, Texas, et al., with Russell, et al.,
Above And Motion to be Added as Fourth Class
Member, and Granting Class Action Certification
Under the Fourteenth Amendments Due Process and
Equal Protection Clauses. In support thereof Plaintiff
would respectfully show this Honorable Court as
follows:

The lawsuit I recently filed is nearly identical to the Russell Suit filed in January 2019 with the exception of (COVID-19) Coronavirus issues homeless inmate issues and at least 3 inmate deaths within the Harris County Jail System since your April 14th, 2020 decision.

Since the filing fee is already paid in Russell and I am similarly situated it is my desire that the Civil Rights Attorneys Neal S. Manne, Meagan Taylor Harding and Michael Gervais, and Mimi Marziani be notified of my filing and given the opportunity to bring my suit into this one. Myself and Dwight Russell, Connie Pierson and Joseph Ortuno are all pre-trial detainees and felony arrestees not yet convicted of a crime and detained pending trial due to poverty and lack of cash money to pay a bail-bondsman.

My right hand middle finger was broken completely through about 4 weeks ago from a slip and fall accident exiting the shower. I cannot write much length wise without significant pain. In my letter to Clerk David J. Bradley and on the writ envelope containing my 1983, pro se, complaint I had Attention The Honorable Lee H. Rosenthal, Presiding Chief U.S. District Judge. It was my hope they would have brought my complaint to you for you to review.

I spent a considerable amount of time preparing my complaint. Please Judge Rosenthal read and review my complaint as I came in February 27th, 2020, my complaint was meant to "bridg-the-gap in a meaningful manner" between my entrance and now and to help add substance to what you said was a sparse record.

It is my belief you should ask for a daily report of inmates at all 3 facilities, 1200, 701 and T.P.C. who are "running fever" and "when a nurse or health care records an inmates temperature." Also, the name's and numbers of all inmates sent to the Texas Medical Center due to "running fever or high temperature." The number of inmates isolated in lock-down cell's, infirmary cell's, Ben Taub Hospital or LBJ Hospital because of (COVID-19) Coronavirus. The Defendant's are concealing intentionally this information from the Court.

Mr. Zusman founder of Zusman and Godfrey Law Firm, God Be With Him, a Legal Genius died around June 26th, 2020 after contracting (COVID-19) Coronavirus at a hospital in the Texas Medical Center where he was receiving treatment / ICU / Care for Traumatic Brain Injuries.

I find it hard to believe that inmate deaths and infections are not increasing substantially when

every corner of the globe, U.S. Texas, Harris Co. City of Houston, deaths and infections are on the rise, like never before. The 3rd inmate death was reported around May 7th, 2020, then all of a sudden. No more deaths. Someone made the Houston Chronicle Reporters and news reporters on Television keep quiet I believe. What else can explain the sudden lack of investigative reporting? Government corruption is what I suspect.

(Prayer for Relief)

Wherefore, Premises Considered, Plaintiff prays that the Court grant him the relief to which he may be entitled in these proceedings.

Plaintiff additionally prays for such further relief to which law, federal law, justice and the Constitution may so require for equal protection of the laws to the homeless and extremely poor.

"Executed and Sworn
to on this 21st day
of July, 2020."

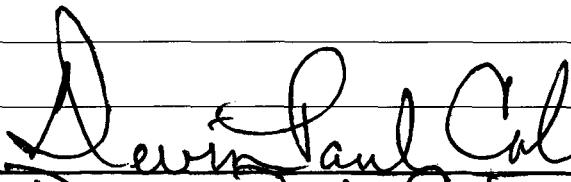
Respectfully submitted,
Devin Paul Cole

SPN# 02145549
Plaintiff/Prospective Class
Member - U.S.C.A. 5, 8
and 14.

(Unsworn Declaration by Inmate)

"I, Devin Paul Cole, SPN# 02145549, an inmate confined in the Harris County Jail in Harris County (Houston) Texas, declare under penalty of perjury that the above and foregoing Prospective Plaintiff's Motion to Intervene and Consolidate Complaint Civil Action Number 4:20-cv-02490 -Devin Paul Cole vs. Harris County, Texas, et al., with Russell, et al., Above And Motion to be Added as Fourth Class Member and Granting Class Action Certification Under The Fourteenth Amendment's Due Process and Equal Protection Clauses and the factual allegations contained in same are in all things true and correct."

"Executed and Sworn to on this 21st day of July, 2020."


Devin Paul Cole
Devin Paul Cole
02145549

July 21st, 2020

Mr. David J. Bradley
Clerk of Court
P.O. Box 61010
Houston, Texas 77208

Devin P. Cole
SPN# 02145549
Harris County Jail
1200 Baker Street
Houston, Texas 77002

* Re: Civil Action No. H-19-226; Dwight
Russell, et al., vs. Harris County, Texas,
et al., Defendants. and the prompt filing of:

* Prospective Plaintiff's Motion to Intervene
and Consolidate Complaint / Civil Action #
4:20-cv-02490 - Devin Paul Cole
vs. Harris County, Texas, et al., with
all the above mentioned cases.

Action Certification Under The Fourteenth
Amendments Due Process and Equal Protection
Clauses.

Dear Clerk Bradley,

Please find enclosed my above and
forgoing motion to be filed with your office
and Chief U.S. Dist. Judge Lee Rosenthal's
Court in Case # H-19-226. I am pro
se.

Thank you for your kind assistance
regarding this matter of legal importance
and federal law.

Sincerely
Devin Paul Cole
Devin Paul Cole

HARRIS COUNTY SHERIFF'S OFFICE JAIL	
Name:	Devin Paul Cole
SPN:	09145549
Street	1200 Baker Street
Cell: 5-4-1	
HOUSTON, TEXAS 77002	

2002/2003

United States Courts
Southern District of Texas
FILED

JUL 24 2020

David J. Bradley, Clerk of Clerk

INDIGENT FEDERAL LEGAL

* Mr. David J. Bradley, Clerk of Court
* Attention: The Honorable Lee H. Rosenthal,
Chief United States District Judge
Bob Casey United States Court of Appeals
P.O. Box 61010 Houston, Texas 77208
20081010 8001